

JUL 19 2005

INDIANA UTILITY
REGULATORY COMMISSIONINDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758IN RE COMPLAINT OF PARK
JEFFERSON V. NIPSCO)
)

CAUSE NO. 42671

You are hereby notified that on this date the Presiding Officer in this Cause makes the following Entry:

On July 18, 2005, John William Davis, Jr., counsel for the Complainant in this Cause: Park Jefferson Apartments, filed a *Motion to Withdraw Appearance* ("Motion"). The Motion states that John William Davis, Jr. has been discharged by Park Jefferson Apartments. Attached to the Motion is a copy of a memo from J. John Marshall to J. William Davis, Esq., dated July 1, 2005, requesting that Mr. Davis withdraw from all matters in which he is counsel of record. The Motion states that J. John Marshall is a general partner of Park Jefferson Apartments.

Commission rule 170 IAC 1-1.1-7(d) and (e) govern the withdrawal of appearance of an attorney in a Commission proceeding, and state:

(d) Any withdrawal of appearance by an attorney on behalf of any party must comply with the Indiana Rules of Professional Conduct, be in writing, and be granted by leave of the presiding officer.

(e) Except for good cause shown, the presiding officer may not grant a request for withdrawal of appearance by an attorney unless the request has been filed with the commission at least ten (10) days prior to the next scheduled hearing date.

An evidentiary hearing was conducted and concluded in this Cause on May 2, 2005, and no further hearings have been scheduled. A post-hearing schedule was established at the evidentiary hearing that currently directs the parties' filing of post-hearing briefs and proposed Orders.

The Motion of John William Davis, Jr. to withdraw his appearance in this Cause appears consistent with the requirements of 170 IAC 1-1.1-7(d) and (e). Accordingly, the Motion is granted.

In addition to mailing a copy of this Entry to John William Davis, Jr., to counsel for NIPSCO, and to the Indiana Office of Utility Consumer Counselor, a copy will be

mailed to Park Jefferson Apartments c/o J. John Marshall at the address provided in the Motion.

IT IS SO ORDERED.

William G. Divine
William G. Divine, Administrative Law Judge

7-19-05
Date